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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/748,047	12/30/2003	Roger Adrien Boutin	065517.00072	6747
	7590 05/21/200 IOWARD ATTORNE		EXAMINER REDMAN, JERRY E	
450 West Fourth Street Royal Oak, MI 48067			REDMAN, JERRY E	
Koyai Oak, Mi	48007		ART UNIT	PAPER NUMBER
			3634	
			MAIL DATE	DELIVERY MODE
			05/21/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)	
	10/748,047	BOUTIN, ROGER ADRIEN	١
Office Action Summary	Examiner	Art Unit	
	Jerry Redman	3634	
The MAILING DATE of this communication Period for Reply	appears on the cover sheet w	ith the correspondence address	
A SHORTENED STATUTORY PERIOD FOR REWHICHEVER IS LONGER, FROM THE MAILING - Extensions of time may be available under the provisions of 37 CFF after SIX (6) MONTHS from the mailing date of this communication - If NO period for reply is specified above, the maximum statutory period for reply within the set or extended period for reply will, by standard property of the period for reply will, by standard patent term adjustment. See 37 CFR 1.704(b).	COMMUN R 1.136(a). In no event, however, may a . riod will apply and will expire SIX (6) MO atute, cause the application to become A	CATION. reply be timely filed NTHS from the mailing date of this communication BANDONED (35 U.S.C. § 133).	
Status			
Responsive to communication(s) filed on 0. This action is FINAL . 2b) ☐ 1 Since this application is in condition for alloclosed in accordance with the practice under the condition of the condit	This action is non-final. wance except for formal materials	•	is
Disposition of Claims			
4) Claim(s) <u>1-22</u> is/are pending in the applicat 4a) Of the above claim(s) is/are withe 5) Claim(s) is/are allowed. 6) Claim(s) is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction an	drawn from consideration.		
Application Papers			
9) The specification is objected to by the Exam 10) The drawing(s) filed on is/are: a) a Applicant may not request that any objection to Replacement drawing sheet(s) including the cor 11) The oath or declaration is objected to by the	accepted or b) objected to the drawing(s) be held in abeya rection is required if the drawing	nce. See 37 CFR 1.85(a). g(s) is objected to. See 37 CFR 1.121((d).
Priority under 35 U.S.C. § 119			
12) Acknowledgment is made of a claim for fore a) All b) Some * c) None of: 1. Certified copies of the priority docum 2. Certified copies of the priority docum 3. Copies of the certified copies of the papplication from the International But * See the attached detailed Office action for a	ents have been received. ents have been received in a priority documents have been reau (PCT Rule 17.2(a)).	Application No n received in this National Stage	
Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date	Paper No	Summary (PTO-413) s)/Mail Date Informal Patent Application 	

The status of the claims is as follows:

Claims 1-22 (claim 22 newly added) is herein addressed below.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

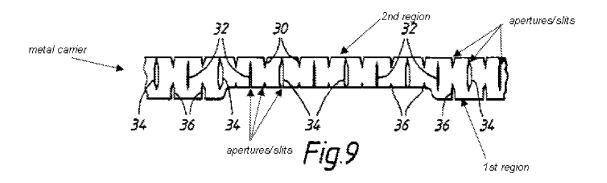
A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Bright et al. (5,752,345). As shown in Figures 9 or 10 (depending on how the "width" is defined, i.e., in the flattened state or U-shape), Bright et al. (5,752,345) disclose a weather strip (12) in combination with a motor vehicle (see figure 1) comprising a steel metal carrier (22) having a U-shaped cross-section (sealing flanges each side of the weather strip) having a first region having a first flexibility along a longitudinal length (see figure below) and a second region having a second flexibility along the longitudinal length (see figure below), and an elastomeric material (14) disposed about the metal carrier (22) and including a tubular/hollow sealing feature (16) extending from the weather strip (12). Bright et al. (5,752,345) further disclose the first region having a plurality of apertures disposed generally centrally along the carrier (22). Bright et al. (5,752,345) still further disclose the first region and second region to have distinct flexibilities (column 4, lines 50-60). Since the U-shaped carrier, in its

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sealing function, has the same width throughout, both regions have the "same width" throughout.



The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-22 are further rejected under 35 U.S.C. 103(a) as being unpatentable over Bright et al. (5,752,345) in view of Bonds (6,079,160) or Figure 10 of Bright et al. ('345). All of the elements of the instant invention are discussed in detail above except providing the metal carrier to have the same width (when not in a U-shaped sealing form as discussed above). Bonds ('160) and Figure 10 Bright et al. ('345) discloses a U-shaped weather strip having a metal carrier with equal width along a longitudinal axis (in both the flattened and U-shaped bent condition). It would have been obvious to one of ordinary skill in the art at the time of the invention to provide the metal carrier of Bright et al. ('345) to have the same width (in both the flattened and U-shaped bent

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condition) as taught by Bonds ('160) or figure 10 of Bright et al. ('345) since the carrier having the same width is cheaper to manufacture.

Applicant's arguments with respect to claims 1-22 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jerry Redman whose telephone number is 571-272-6835. The examiner can normally be reached on M-TH from 8 to 6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ms. Mitchell, can be reached on 571-272-7069. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Jerry Redman/ Primary Examiner, Art Unit 3634